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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 HAIKEL GSOURI,

11 Plaintiff,

12 v.

13 CLARK COUNTY JAIL,

14 Defendant.

CASE NO. 3:18-cv-5472 BHS-JRC

ORDER ON PLAINTIFF'S  
MOTION TO COMPEL  
DISCOVERY

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16 This matter is before the Court on plaintiff's Motion to Compel Discovery. *See* Dkt. 22.  
17 Plaintiff asserts in his motion that he has "received the defendants response to the interrogatories,  
18 but they object to all my questions and request of production." Dkt. 22, p. 1-2.

19 Defendants responded to plaintiff's Motion to Compel Discovery stating that the motion  
20 should be denied because plaintiff failed to confer with defense counsel as required by LCR  
21 37(a)(1) and Fed. R. Civ. P. 37(a)(1). Dkt. 23, p. 1. Defendants submitted a declaration stating  
22 that plaintiff did not confer with defense counsel regarding the discovery responses. Dkt. 24, p.  
23 2. Defendants also address the merits of plaintiff's motion in their response, stating that  
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1 plaintiff's motion should be denied because defendants have adequately responded to plaintiff's  
2 interrogatories. Dkt. 23, p. 1.

3 Plaintiff is required to confer, or attempt to confer, with the "person or party failing to  
4 make disclosure or discovery in an effort to resolve the dispute" before asking the Court to  
5 compel discovery. W. D. Wash. LCR 37(a)(1). A good faith effort to confer "requires a face-to-  
6 face meeting or a telephone conference." LCR 37(a)(1). Thereafter, any motion to compel must  
7 include a certification that plaintiff conferred or attempted to confer with defendants. LCR  
8 37(a)(1); *See also* Fed. R. Civ. P. 37(a)(1). In plaintiff's Motion to Compel Discovery, there is  
9 no such evidence that plaintiff made a good faith attempt to confer with defendants regarding the  
10 disputed discovery. *See* Dkt. 22; *see also* Dkt. 24, p. 2. (Declaration stating that plaintiff did not  
11 attempt to confer with defense counsel).

12 Therefore, plaintiff's Motion to Compel Discovery (Dkt. 22) is DENIED without  
13 prejudice. This Court also declines to address the merits of the motion, which defendants raised  
14 in their response, until after the parties confer and plaintiff has filed a new motion to compel, if  
15 necessary.

16 Dated this 1st day of February, 2019.

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20 J. Richard Creatura  
21 United States Magistrate Judge  
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